

60130-391
99AUT080**REMARKS**

Applicant wishes to thank the Examiner for the detailed remarks. Claims 1-6 are pending.

Claims 1-3, and 4 were rejected under 35 U.S.C. §102(b) as being anticipated by *Bates* (3,913,940.) Applicant appreciates the Examiner's annotated Figure 2 but respectfully traverses this rejection. *The Examiner admits the Bates does not clearly teach a deformable air cell. Office Action paragraph 4.* The claims require such a cell. This rejection cannot be sustained. Claims 1-3 and 4 are thus properly allowable.

Claims 1-3 and 4 were rejected under 35 U.S.C. §103(a) as being unpatentable over *Bates* in view of *Koschinat* (4,890,823.) Applicant respectfully traverses this rejection. *Koschinat* discloses a *known completely cylindrical air cell*. *Koschinat* discloses a two-piece plunger piston formed of a composite material, whose two parts support each other and assume specific tasks. *The outer plunger piston essentially assumes the normal guiding of the air spring bellows ... the internal truncated conical portion absorbs the pressure and tensile forces.* See Col 3, lines 9-25. The internal conical portion is not deformable. The claims require such a deformable air cell. Thus, *Koschinat* adds nothing to *Bates* which would teach or suggest the present invention.

Claims 5 and 6 were rejected under 35 U.S.C. §103(a) as being unpatentable over *Bates* in view of *Koschinat* (4,890,823) and *Smith* (5,234,203.) Applicant respectfully traverses this rejection. *Smith* also discloses a completely cylindrical air cell and does not solve the deficiencies of *Bates* in view of *Koschinat* as described above.

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Applicant respectfully submits that this case is in condition for allowance. If the Examiner believes that a teleconference will facilitate moving this case forward to being issued, Applicant's representative can be contacted at the number indicated below.

Respectfully submitted,

CARLSON, GASKEY & OLDS, P.C.

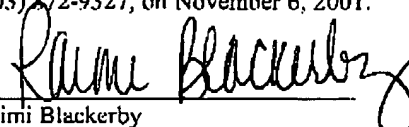


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Dated: November 6, 2001

CERTIFICATE OF FACSIMILE

I hereby certify that this Response and associated documents are being faxed to Box AF, Assistant Commissioner of Patents, Washington, D.C. (703) 872-9327, on November 6, 2001.



Raimi Blackerby